

AGENCY ESTIMATE
OF THE FISCAL IMPACT OF IMPLEMENTING
SB 146 2011 General Session
Impact Fee Amendments

Sponsor: Senator Jerry W. Stevenson
Agency Contact: Jenefer Youngfield
Agency Utah State Office of Education

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A. Short Form (For bills that have no impact on the state, local governments, businesses, or individuals.)

If you can check all five boxes to the right, you're almost done. If the bill obviously doesn't have an impact, you're done.

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | State agencies will not require an appropriation to implement the bill. |
| <input type="checkbox"/> | There is no fiscal impact on local governments. |
| <input type="checkbox"/> | There is no fiscal impact on businesses. |
| <input checked="" type="checkbox"/> | There is no fiscal impact on individuals. |
| <input type="checkbox"/> | The bill will not affect revenues. |

If it isn't so obvious, explain what's going on. The most usual explanation is the codification of existing practices.

Attachments welcome.

If necessary, explain why this bill has no fiscal impact.

This bill enacts provisions related to impact fees; regulating the establishment of; enactment of; notice provisions; accounting and expenditure of; and challenging of; and... *Continued on Tab 2.*

B. What parts of the bill cause fiscal impact?

Cite specific sections or line numbers.

Excluding certain situations in which land or a structure, including land or a structure for inventory ... *Continued on Tab 2.*

C. Which program gets the appropriation?

Enter 3 letter Appropriation Unit Code.

For multiple appropriations

This is of

D. Work Notes: Assumptions, calculations & what are we buying?

Explain the fiscal impact in plain English, detailing your assumptions, methods, & calculations.

List all direct costs. Identify one-time and ongoing costs. Detail FTE impacts.

Do not say, "\$50,000 in Current Expense." Be very specific about what this \$50,000 will buy.

Attachments encouraged.

The changes in language clearly define processes of implementing impact fees related items such as; impact fee plans, impact fees, advertisement of proposed impact fees, challenges to and the processes required to be followed. The manner in which notification of impact fee intent does not specifically require contact, other than public, thus those affected may not be aware of an entities intent to impose impact fee related items. The bill closes a loophole by local political subdivision or private entities from using other names for impact fees to be able to impose then in situations they were not intended.

E. REVENUES

Select Fund

Current Budget Year
FY 2011

Coming Budget Year
FY 2012

Future Budget Year
FY 2013

Total

0

0

0

F. COSTS by FUND

Select Fund

Current Budget Year
FY 2011

Coming Budget Year
FY 2012

Future Budget Year
FY 2013

Total

0

0

0

G. COSTS by EXPENDITURE CATEGORY.

Expenses by Category

Personal Services
Travel
Current Expense
DP Current Expense
DP Capital Outlay
Capital Outlay
Other/Pass Thru

Current Budget Year
FY 2011

Coming Budget Year
FY 2012

Future Budget Year
FY 2013

Total

0

0

0

H. Non-State Impacts

Your estimate of how will the bill affect:

Local Governments

Local political subdivision may see reduced revenues because of tightened language which no longer allows for fees meeting the definition of impact fees to be imposed under different language or criteria... *Continued on Tab 2.*

Businesses

Businesses may be imposed additional impact fees for local political subdivision or private entities improvements, which charter schools, school districts and residence are now excluded from being required to pay.

Individuals

Residents may see a decrease in fees they are required to pay because of added restrictions of allowable fees on local political subdivisions. Those within school district or charter school boundaries ... *Continued on Tab 2.*

2010 Version 11.09

This is a draft fiscal note response from the Utah State Office of Education (USOE) and may be revised in the future.

Attachments welcome.

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A. Short Form - continued from first tab...

makes technical and conforming amendments. Language provides criteria for the following: prohibitions on, private entity assessment of, eliminating options for other names of impact fees, environmental mitigation impact fees, impact fee facilities plan - requirements and limitations related to school district and charter schools, impact fee analysis requirements, calculating impact fees, certification of impact fee analysis, impact fee enactments and other provisions of impact fee enactment, notice of intent to prepare, adopt, amend or preparation of an impact fee facilities plan, notice of intent to adopt impact fee enactment -hearing - protections, impact fee proceeds, expenditures, challenges, time limitations, procedures for challenging , mediation, arbitration, and advisory opinions. Language changes may increase revenues to local governments from school district and charter schools or may be reduced because of non allowable fees, which may be passed on to businesses or individuals.

B. What parts of the bill cause fiscal impact continued from first tab...

storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use--school districts and charter schools may cause these to be subject to impact fees and were previously exempt from impact fees, of which the cost is so varied and unknown that it is not possible to quantify.

C. Which program gets the appropriation continued from first tab...

D. Work Notes: continued from Tab 1 continued from first tab...

E. REVENUES continued from first tab...

F. COSTS by FUND *continued from first tab...*

G. COSTS by EXPENDITURE CATEGORY *continued from first tab...*

H. Non-State Impacts *continued from first tab...*

(i.e., calling it something different). School districts and charter schools may see added charges and political subdivision may see increased revenues because of the option to impose impact fees on some land or a structure for inventory or equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use .

may find that more funding is available for construction projects due to increased restrictions of imposing impact fees related to school construction or may find that funding is reduced due to options now available to local political subdivisions of charging impact fees for certain facility construction that is not a school.

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